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SUBJECT: FRENCH VIEWS ON TAKING CARE OF BRAMMERTZ. THE ICTY
OPTION

REF: BEIRUT 645

Classified By: Political Minister Counselor Josiah B. Rosenblatt. Reas
ons 1.4b,d

¶1. (C) France is backing Serge Brammertz to succeed Carla Del Ponte as ICTY Chief Prosecutor from a belief that Brammertz will otherwise refuse to extend his mandate at the UN International Investigative Commission (UNIIIC), an outcome the French characterize as disastrous. MFA UN/Middle East Action Officer Salina Grenet explained to Poloff on May 10 that Brammertz was conditioning any prolongation of his UNIIIC duties on a guarantee -- by June 15 at the latest -- of a suitable onward assignment. While the ICTY position represented an optimal solution for Brammertz, Grenet did not exclude other solutions and invited USG suggestions. The overriding priority was to identify a package that would keep Brammertz in place at the UNIIIC through December 2007. MFA Cabinet Director Pierre Vimont was personally directing the French effort to accommodate Brammertz.

¶2. (C) Grenet stated that the MFA had initially explored trying to create a new position for Brammertz in New York as a Deputy UN Legal Counsel. The MFA had abandoned that scenario as impracticable in the near term since adding a new UN position would require obtaining broad agreement within the UN system. The UN moreover was already coping with the bureaucratic fallout of SYG Ban Ki-Moon's envisioned reform of DPKO, which itself could entail an additional 400 positions, she suggested.

¶3. (C) With Del Ponte set to retire in September, current Deputy Prosecutor Tolbert would manage the transition until Brammertz's arrival. Grenet acknowledged that the outcome was not positive for Tolbert, an AMCIT, whom she called an excellent candidate in his own right to succeed Del Ponte. She volunteered moreover that the UK had raised doubts about whether Brammertz possessed the right profile and competence for the ICTY position.

¶4. (C) Grenet conceded that Brammertz, on leave as Deputy Prosecutor of the International Criminal Court (ICC), should technically be able to resume his prior function; however, she claimed that ICC Prosecutor Ocampo, whose personal relationship with Brammertz has continued to deteriorate, has effectively shut the door on that possibility. Grenet strongly rejected the suggestion that Brammertz might be bluffing his way to a promotion via ICTY.

¶5. (C) Separately, in a May 11 meeting with NEA Watcher, Basile Yared, the Paris-based representative of Saad Hariri, emphasized the need "to take care of Brammertz" so that he

does not prematurely depart the IIC in June. Brammertz's departure "would be a catastrophe for the investigation" into Rafik Hariri's assassination, said Yared, who appeared uninterested in whatever particular position Brammertz might receive, so long as the inducement sufficed to keep him at his present function at the UNIIIC.

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